

FILED IN CHAMBERS
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAN 17 2008

JAMES N. HATTEN, Clerk
By: *[Signature]* Deputy Clerk

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

Plaintiff,

vs.

ROYAL OLDSMOBILE CO., INC.,

Defendant.

CIVIL ACTION NO.

1:07-CV-0732-~~RWS~~ *RWS*

SETTLEMENT AGREEMENT

This action was instituted by the Equal Employment Opportunity Commission (hereinafter, the "EEOC") against Defendant Royal Oldsmobile Co., Inc. (hereinafter the "Defendant") pursuant to Section 706(f)(a) and (3) of Title VII of the Civil Rights Act of 1964, as amended 42 U.S.C. § 2000e et seq. (hereinafter referred to as "Title VII") and the Civil Rights Act of 1991, 42 U.S.C. § 1981(a) to remedy the alleged wrongful employment practices identified in the Complaint filed in this action.

This Court has jurisdiction of the subject matter of this action and of the parties to this action.

The Commission alleged in the foregoing civil action that the Defendant

acted unlawfully by subjecting Ron Robinson to a racially hostile work environment and subsequently terminating his employment in retaliation for complaining about the racially hostile work environment in violation of Title VII. In its Complaint, the Commission sought make whole-relief including, but not limited to, compensatory damages, punitive damages, injunctive and other affirmative relief. The Defendant filed its Answer denying the allegations made by the Commission. All of the parties to this action desire to avoid the additional expense, delay, and uncertainty that would result from the continuance of this litigation.

I. DISCLAIMER OF VIOLATION

It is understood and agreed that the negotiation, execution, and entry of this Settlement Agreement, and the undertakings made by Defendant hereunder, are in settlement and compromise of disputed claims of race discrimination and retaliation in violation of Title VII. Neither the negotiation, execution, nor entry of this Settlement Agreement shall constitute an acknowledgment or admission of any kind by the Defendant that its officers, agents or employees have violated Title VII or any other applicable law, regulation or order.

II. CHARGING PARTY'S INDIVIDUAL RELIEF:
MONETARY RELIEF

Defendant, in settlement of all alleged claims, shall provide to Charging Party Ron Robinson the amount of \$60,000. The check, payable to Mr. Robinson, will be mailed to Robert K. Dawkins, Regional Attorney, in the EEOC Atlanta District Office, whose address is 100 Alabama Street, Suite 4R30, Atlanta Georgia 30303.

III. OTHER ACTIONS

The EEOC shall not commence or prosecute against Defendant any action or other proceeding based upon any claims, demands, causes of action, obligations, damages or liabilities that arise out of EEOC Charge Number 110-2005-04070, the EEOC's investigation of the charge, or this lawsuit. However, this Settlement Agreement in no way affects the EEOC's right to process any pending or future charges that may be filed against Defendant in accordance with standard EEOC procedures, and to commence civil actions pursuant to Section 706(f) of Title VII on any such charge. Nothing in this Settlement Agreement shall be construed to limit or reduce Defendant's obligation to fully comply with Title VII of the Civil Rights Act of 1964, as amended; the Equal Pay Act of 1963, as amended; the Age

Discrimination in Employment Act of 1967, as amended; the Americans with Disabilities Act of 1990; or the regulations promulgated pursuant thereto. Nothing herein shall preclude the EEOC from bringing an action to enforce the provisions of this Settlement Agreement.

IV. COSTS AND ATTORNEY FEES

The EEOC and Defendant shall each bear their own respective costs and attorneys fees for this action.

The parties hereto and undersigned attorneys of record for the EEOC and Defendant in the above-styled action hereby consent to the entry of the foregoing Settlement Agreement.

BY CONSENT

Counsel for Plaintiff:

s/Robert Dawkins
Robert K. Dawkins
Regional Attorney
Georgia Bar No. 076206

EEOC - ATLANTA DISTRICT
OFFICE
100 Alabama Street, SW
Suite 4R30
Atlanta, Georgia 30303

(404) 562-6818 - phone
(404) 562-6905 - fax


Defendant:

s/Cynthia Cochran
On Behalf of Royal Oldsmobile
Co., Inc.

Counsel for Defendant:

s/William Sutton
William Sutton, Esq.
McLain & Merritt, P.C.
3445 Peachtree Road
Suite 500
Atlanta, GA 30326

APPROVED, DONE, and SIGNED this 17th day of January, 2008.


District Judge
U.S. District Court of Georgia
Northern District of Georgia, Atlanta Division